

**DISTRICT COURT OF THE VIRGIN ISLANDS**

**DIVISION OF ST. CROIX**

**CARMEN MCALPIN CLARKE,**

**Plaintiff,**

**v.**

**MARRIOTT INTERNATIONAL, INC.,**

**Defendant.**

**2008-CV-0086**

**TO: Lee J. Rohn, Esq.**  
**Rachelle M. Shocklee, Esq.**

**ORDER REGARDING MOTION OF DEFENDANT'S MOTION FOR PARTIAL**  
**STAY OF DISCOVERY AND SEPARATE TRIAL**

THIS MATTER came before the Court upon Defendant's Motion For Partial Stay of Discovery and Separate Trial (Docket No. 12). Plaintiff filed an opposition to said motion. The time for filing a reply has expired.

Being advised in the premises and upon due consideration thereof, the Court finds that a partial stay of discovery in an effort to attempt to determine the relationship between Defendant and the property where Plaintiff alleges the underlying incident occurred before conducting other discovery is warranted. The Court further finds that the issue of bifurcation is premature. Thus, the Court will deny that request without prejudice, and Defendant may renew its motion at a more appropriate juncture.

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Order Regarding Defendant's Motion For Partial Stay and Separate Trial

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Accordingly, it is now hereby **ORDERED**:

1. Defendant's Motion For Partial Stay of Discovery and Separate Trial (Docket No. 12) is **GRANTED IN PART AND DENIED IN PART**.
2. Defendant's motion for partial stay of discovery is **GRANTED**.
3. Discovery shall be limited to the issue of the relationship between Defendant and the St. Kitts Resort and Royal Beach Casino in an attempt to determine Defendant's liability, if any. All other discovery in this matter is **STAYED** for a period of sixty (60) days.
3. Defendant's motion for separate trial is **DENIED WITHOUT PREJUDICE**.

ENTER:

Dated: February 18, 2009

/s/ George W. Cannon, Jr.  
GEORGE W. CANNON, JR.  
U.S. MAGISTRATE JUDGE